



ONR GUIDE			
PRE-EMPLOYMENT SCREENING AND NATIONAL SECURITY VETTING			
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1. INTRODUCTION

- 1.1 The Office for Nuclear Regulation (ONR) has established a set of Security Assessment Principles (SyAPs) (Reference 7). This document contains Fundamental Security Principles (FSyPs) that dutyholders must demonstrate have been fully taken into account in developing their security arrangements to meet relevant legal obligations. The security regime for meeting these principles is described in security plans prepared by the dutyholders, which are approved by ONR under the Nuclear Industries Security Regulations (NISR) 2003 (Reference 1).
- 1.2 The term 'security plan' is used to cover all dutyholder submissions such as nuclear site security plans, temporary security plans and transport security statements. NISR Regulation 22 dutyholders may also use the SyAPs as the basis for Cyber Security and Information Assurance (CS&IA) documentation that helps them demonstrate ongoing legal compliance for the protection of Sensitive Nuclear Information (SNI). The SyAPs are supported by a suite of guides to assist ONR inspectors in their assessment and inspection work, and in making regulatory judgements and decisions. This Technical Assessment Guidance (TAG) is such a guide.

2. PURPOSE AND SCOPE

- 2.1 This TAG contains guidance to advise and inform ONR inspectors in the exercise of their regulatory judgement during assessment activities relating to how the dutyholder's departments with responsibility for delivering the BPSS, NSV and Ongoing Personnel Security, for its employees and contractors, cooperate and work effectively in conjunction with one another. It aims to provide general advice and guidance to ONR inspectors on how this aspect of security should be assessed. It does not set out how ONR regulates the dutyholder's arrangements. It does not prescribe the detail, targets or methodologies for dutyholders to follow in demonstrating they have addressed the SyAPs. It is the dutyholder's responsibility to determine and describe this detail and for ONR to assess whether the arrangements are adequate.

3. RELATIONSHIP TO RELEVANT LEGISLATION

- 3.1 The term 'dutyholder' mentioned throughout this guide is used to define 'responsible persons' on civil nuclear licensed sites and other nuclear premises subject to security regulation, a 'developer' carrying out work on a nuclear construction site and approved carriers, as defined in NISR. It is also used to refer to those holding SNI.
- 3.2 NISR defines a 'nuclear premises' and requires 'the responsible person' as defined to have an approved security plan in accordance with Regulation 4. It further defines approved carriers and requires them to have an approved Transport Security Statement in accordance with Regulation 16. Persons to whom Regulation 22 applies are required to protect SNI. ONR considers workforce trustworthiness to be an important component of a dutyholder's arrangements in demonstrating compliance with relevant legislation.
- 3.3 Regulations 9, 17(3) and 22(7) (d) of NISR relate to workforce trustworthiness and have been included at Appendix 1 to this TAG. Furthermore, due consideration in relation to the treatment, use and the holding of personal information must also take into account the following legislation:
- Data Protection Act 1998
 - Human Rights Act 1998

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- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Rehabilitation of Offenders (Exclusions and Exceptions) (Scotland) Order 2003
- Rehabilitation of Offenders (Northern Ireland) Order 1978
- Equality Act 2010
- Protection of Freedoms Act 2012

4. RELATIONSHIP TO IAEA DOCUMENTATION AND GUIDANCE

- 4.1 The essential elements of a national nuclear security regime are set out in the Convention on the Physical Protection of Nuclear Material (CPPNM) (Reference 2) and the IAEA Nuclear Security Fundamentals (Reference 3). Further guidance is available within IAEA Technical Guidance and Implementing Guides.
- 4.2 Fundamental Principle F of the CPPNM refers to security culture and states that all organisations should give due priority to the security culture, to its development and maintenance necessary to ensure its effective implementation. Essential Element 12 of the Nuclear Security Fundamentals refers to developing, fostering and maintaining a robust nuclear security culture and to establishing and applying measures to minimise the possibility of insiders becoming nuclear security threats.
- 4.3 A more detailed description of the elements is provided in Recommendations level guidance, specifically Nuclear Security Series (NSS) 13, Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Revision 5) (Reference 12). Further detail at the operational level is contained in an Implementing Guide on Preventive and Protective measures against insider threats (NSS 8) (Reference 5), in particular Sections 3 and 5. An Implementing Guide on Nuclear Security Culture (NSS7) (Reference 4) contains further information on establishing workforce trustworthiness (Section 4.3(i)).

5. RELATIONSHIP TO NATIONAL POLICY DOCUMENTS

- 5.1 The SyAPs provide ONR inspectors with a framework for making consistent regulatory judgements on the effectiveness of a dutyholder's security arrangements. This TAG provides guidance to ONR inspectors when assessing a dutyholder's submission, demonstrating they have effective processes in place to achieve Security Delivery Principle 8.2 – Pre-employment Screening and National Security Vetting, in support of Fundamental Security Principle 8 – Workforce Trustworthiness. The TAG is consistent with other TAGs and associated guidance and policy documentation.
- 5.2 The HMG Security Policy Framework (SPF) (Reference 6) is supplemented by the "Cabinet Office SPF Personnel Security supplement (Reference 13), HMG Baseline Personnel Security Standard Guidance on the pre-employment screening of civil servants, members of the armed forces, temporary staff and government contractors" (Reference 9). It describes the Cabinet Office expectations of how HMG organisations, and third parties handling HMG information and other assets, will apply protective security to ensure HMG can function effectively, efficiently and securely. The security outcomes and requirements detailed in the SPF have been incorporated within the SyAPs. This ensures dutyholders are presented with a coherent set of expectations for the protection of nuclear material and nuclear facilities and SNI, and for the

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employment of appropriate personnel security controls both on and off nuclear premises.

- 5.3 The Classification Policy (Reference 8) indicates those categories of SNI that require a classification and the level of classification to be applied.

6. **ADVICE TO INSPECTORS**

Background

- 6.1 **National Policy.** The Baseline Personnel Security Standard (BPSS) and National Security Vetting (NSV) policy are determined by Cabinet Office as the National Security Authority for the United Kingdom. The ONR (CNS) Vetting Authority is the Vetting Authority for the regulated civil nuclear sector.
- 6.2 **Mandatory Clearance Requirements.** ONR publishes the clearance requirements for access by dutyholders' staff and contractors to Sensitive Nuclear Information (SNI), Civil Licensed Nuclear Sites, Nuclear Material (NM), Other Radioactive Materials (ORM) and Vital Areas (VA), and in relation to nuclear materials in transit, in the Mandatory Clearance Level document (Annex E to the Security Assessment Principles).
- 6.3 **Suitability to Carry Firearms.** The issue of a BPSS or NSV clearance does not in any way indicate the suitability of a person to hold a firearm in any capacity. A determination of suitability to hold a firearm in an official capacity is the responsibility of the CNC.
- 6.4 **Definition of Staff and Contractors.** The clearance validity period can differ depending on employment status; specifically whether a person is a member of staff or a contractor. Inspectors should use the following definitions of staff and contractors when assessing dutyholders' personnel security arrangements:
- Staff are defined as employees on the payroll of:
 - a Parent Body Organisation (PBO)
 - a company forming a PBO partnership and who are performing their duties in relation to the work of the PBO
 - a Site Licensed Company (SLC)
 - a Non Departmental Public Body (NDPB) (including the Civil Nuclear Police Authority (CNPA) and the Civil Nuclear Constabulary (CNC))
 - a Government Owned Contractor Operated organisation (GOCO)
 - a Government Owned Government Operated organisation (GOGO)
 - organisations directly regulated by ONR, including approved carriers and developers undertaking activities on a Nuclear Construction Site.
 - Contractors are defined as
 - all other employees, i.e. consultants and contractors (including Agency Supplied Workers) working to the above, including those previously deemed staff but who have since been transferred or outsourced to new private contracting organisations

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- personnel on the payroll of a PBO or partnership company forming part of the PBO where their work is not directly related to the work of the company as a PBO (e.g. PBO Head Office staff)

HMG Mandatory Requirements

- 6.5 The civil nuclear industry is obliged to follow HMG policies on the BPSS and NSV. BPSS, (so long as there is not a change of both employer and sponsor), and NSV clearances can be transferred from organisations outside the civil nuclear industry.

Regulatory Expectation

- 6.6 The regulatory expectation is that dutyholders will ensure that their security plan details how personnel security controls, policies, processes and arrangements comply with:
- HMG Baseline Personnel Security Standard Guidance on the pre-employment screening of civil servants, members of the armed forces, temporary staff and government contractors;
 - The Personnel Security content of the Security Policy Framework;
 - The Statement of HMG Personnel Security and National Security Vetting Policy – July 2010: and
 - HMG Personnel Security Controls (Reference 10).

Where appropriate, dutyholders' processes and arrangements should provide for the additional requirements laid down by ONR (CNS), as the Vetting Authority, and its threshold for taking decisions based on its risk appetite in accordance with the assurances it is required to provide under NISR 2003 for the regulated civil nuclear sector. See paragraph 6.10 below for further detail on these requirements for BPSS and paragraph 6.13 for NSV.

FSyP 8 - Workforce Trustworthiness	Pre-employment Screening and National Security Vetting	SyDP 8.2
Dutyholders should deliver the appropriate combination of recruitment checks and vetting to satisfy themselves of the honesty and integrity of their potential workforce (staff and contractor community).		

Corporate Governance

- 6.7 **Designated Roles.** Dutyholders should have appropriate corporate governance arrangements to identify personnel who are authorised to approve BPSS clearances (where it falls within dutyholders' signing authorities) and to sponsor NSV applications. The arrangements should also include maintenance of a record of learning and development activities associated with those roles.
- 6.8 **Staff Approving BPSS and Sponsoring NSV.** The arrangements should include provision that all personnel who approve the BPSS or who sponsor NSV applications are suitably qualified and experienced personnel (SQEP) to carry out those functions. Only the dutyholder (other than where the dutyholder's signing authorities are exceeded, when it must be referred to ONR CNS) may approve the BPSS.

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- 6.9 **Role of the BPSS.** The application of the BPSS should ensure that organisations are employing people entitled to work in the UK and with the honesty, integrity and values necessary for employment in the civil nuclear sector. The BPSS also underpins the identity check requirements when sponsoring NSV clearances.

Baseline Personnel Security Standard

- 6.10 **BPSS Signing Authority.** As stated above, inspectors need to verify that the BPSS processes in dutyholders arrangements are compliant with the Cabinet Office guidance. However, those arrangements should also state that approvals by dutyholders are limited to those applications which fall within dutyholders' signing authorities, as set out in Baseline Personnel Security Standard Signing Authorities (Annex F to the Security Assessment Principles).
- 6.11 **Detailed Guidance.** The following aspects are considered to be fundamental in demonstrating adequate arrangements for BPSS approval:
- An assurance that Personnel Security processes are compliant with Cabinet Office published guidance.
 - Any Baseline Standard Verification Record (BSVR) template used by dutyholders provides as a minimum that information which is detailed in the suggested template at Appendix 2.
 - BPSS authorisers are sufficiently SQEP to undertake their role effectively (for example through attending the CPNI training on Pre-Employment Screening).
 - A Basic Disclosure certificate is regarded as valid only where issued within six months of the submission of the BSVR.
 - If, within the last three years, an individual has been resident outside the UK for a total of six months or more (either broken or unbroken) and has been resident in one country for six months or more (either broken or unbroken), the dutyholder requires them to obtain a national police certificate from the relevant country's authorities. Translations of the police certificate, where appropriate, are to be provided by a trusted source. Certificates will not be accepted if issued more than six months before the date the subject left the country.
 - Where it is not possible to obtain a national police certificate it is acceptable to obtain a sworn affidavit or statutory declaration from a UK solicitor/notary public. Any affidavit/statutory declaration will make a clear statement as to whether the individual has committed any offence(s) or come to the attention of that country's authorities.
 - Where a BPSS clearance is issued, it remains valid for the duration of employment with the employer identified at the time the BPSS was granted. A BPSS can, at the contracting authority's discretion remain valid where there is a change of employer but where the contracting authority (i.e. duty holder) remains the same. In such instances
 - i) the contracting authority must have confidence in the former and new employers' recruitment processes; and,

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- ii) identity is reconfirmed and the contracting authority must have no doubt that right to work arrangements accord with statutory requirements.
- A BPSS will not remain valid if a member of staff (defined at paragraph 6.4) transfers from one directly-regulated organisation to another (for example from Magnox Ltd to Sellafield Ltd) where this results in a change of employer.
 - For a BPSS to remain valid, the dutyholder must have clearance details (including caveats or conditions of employment) verified through a trusted source e.g. Security Controller.
 - Where a BPSS underpins an NSV, there is no requirement to carry out a new BPSS on change of employer if the NSV remains extant. However, in accordance with HMG policy, the receiving employer needs to verify identity and ensure an ongoing right to work exists.
 - A BPSS lapses immediately on cessation of employment. A lapsed BPSS may only be reinstated if the individual is returning to the same employer and/or contracting organisation within 12 months of the lapse date. This provision also covers agency supplied workers provided they continue to work for the same employment agency.
 - Where a BPSS holder has a change in both employer and contracting authority, a new BPSS must be obtained.
 - Access to information and physical assets which the BPSS permits is limited to that published in the Mandatory Security Clearances, Annex E to the SyAPs.
 - Though a BPSS does not have an expiry date, where individuals are subject to ongoing right to work checks, access to civil nuclear assets is prohibited beyond the date any right to work in the UK expires unless a new right to work application is evidenced as having been made. If the right to work application is refused, the BPSS is invalidated.
 - Non-British Citizens have the employment restriction of “No Access to ‘UK Eyes Only’” applied.
- 6.12 **BPSS Denials.** Where the BPSS is denied, by the dutyholder, the dutyholder is to notify the applicant including any appeal process. Where ONR CNS denies an application following a referral from the duty holder, ONR CNS will notify the individual of the decision and of its appeals process (see Appendix 4) also advising the dutyholder that approval to access SNI, NM, ORM, facilities and premises, as appropriate, has been denied.

National Security Vetting

6.13 **Detailed Guidance.** The following provisions are considered to be fundamental in demonstrating adequate arrangements for NSV approval:

- An assurance that their process is compliant with Cabinet Office published guidance.
- Where, within the last five years, an individual has been resident outside the UK for a total of twelve months or more, whether broken or unbroken, and has

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been resident in one country for six months or more (either broken or unbroken), the dutyholder requires them to obtain a national police certificate from that country's authorities. Translations of the police certificate will be from a trusted source. Certificates will not be accepted if issued more than six months before the date the subject left the country.

- Where it is not possible to obtain a national police certificate it is acceptable to obtain a sworn affidavit or statutory declaration from a UK solicitor/notary public. Any affidavit/statutory declaration will make a clear statement as to whether the individual has committed any offence(s) or come to the attention of that country's authorities.
- Under the sponsor section of the security questionnaire relating to items of interest, sponsors record not only information relating to inappropriate or unusual behaviours, relevant convictions, disciplinary or health issues, but also any information relating to non-British citizenship (including dual or former), the right to work, any clearance held through an overseas authority, and overseas police certificates obtained as part of the BPSS process. A suggested template for obtaining such information is at Appendix 6.
- Following receipt of the NSV clearance certificate and letter, the dutyholder ensures the clearance letter issued by ONR (Reference 14), which includes a statement on ONR requirements in relation to the reporting of positive drug and alcohol tests, and of any caveats, is forwarded unopened to the individual who has been cleared.
- The dutyholder ensures that access to information, material and facilities which the level of clearance permits is limited to that stated in the Mandatory Security Clearances annex for the duration of the clearance period.
- Where individuals are subject to ongoing right to work checks, access to nuclear material and facilities is prohibited beyond the date any right to work in the UK expires.

6.14 **Denial of Clearance.** Where a clearance is denied, ONR (CNS) will provide the subject with notice of the appeal process (Appendix 4) and provide the dutyholder with advice on the clearance the subject is deemed to hold in the interim.

Submission of NSV Reviews

6.15 Review applications must be submitted to United Kingdom Security Vetting (UKSV)) in good time before a valid clearance is due to expire. Where a review application is submitted in time, the clearance currently in place is deemed valid until a decision is taken on the review. Where ONR (CNS) issues a "No Further Action Letter" owing to the review process not being able to be completed, the extant clearance will lapse.

Transfers and Confirmations

6.16 If an individual is required to work in the civil nuclear industry and holds a valid and appropriate NSV clearance issued by a recognised UK Vetting Authority, the clearance can, subject to relevant assurances having been obtained, be used for work in the civil nuclear sector. This may be done under a transfer or confirmation of NSV process. There are differences between the two.

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- 6.17 Dutyholders may include arrangements in their security plans for the transfer and/or confirmation of NSV clearances. Within those plans, the following provisions are considered to be fundamental in demonstrating that arrangements are adequate:
- these arrangements being completed before an individual commences work; and,
 - the dutyholder confirming: identity, nationality (including any dual or former), the continuing right to work in the UK and the current clearance level.
- 6.18 A transfer is where the receiving organisation in the civil nuclear industry will maintain the clearance, including managing the ongoing personnel security arrangements. Anything falling outside this 'Transfer Definition' is deemed a 'Confirmation'.

BPSS Transfers and Confirmations

- 6.19 The BPSS may be transferred or confirmed within dutyholders signing authorities where it complies with paragraph 6.11.

NSV Transfer

- 6.20 ONR (CNS) is responsible for approving all NSV transfers from external vetting authorities. In order for ONR to commence the transfer procedure, ONR expects the requesting dutyholder to request the transfer online through the NSVS. Dutyholders may apply the confirmation procedure pending the outcome of the transfer process.
- 6.21 Where dutyholders have difficulty in obtaining any of the required information from either the exporting Vetting Authority or Security Controller to complete the online transfer request, they should ask ONR (CNS) to obtain this information on their behalf.
- 6.22 Transfers between civil nuclear dutyholders do not involve a change in vetting authority. Thus advance approval from ONR is only required where a transfer would result in the breach of a caveat. Inspectors will be unlikely to approve a security plan that does not include provision for transfers between dutyholders being reported to ONR monthly on the 'casualty return' notification.

NSV Confirmation

- 6.23 Dutyholders are responsible for managing the confirmation of NSV clearances. The following provisions are considered to be fundamental in demonstrating that NSV clearance confirmation arrangements are adequate:
- arrangements for holding verifiable information for confirmation of clearances (see Appendix 4 for suggested template);
 - ensuring confirmation of clearances only applies to clearances falling within dutyholders' signing guidelines (unless issued by the ONR (CNS) Vetting Authority and where there is no caveat restriction) and refers all others to ONR (CNS); and,
 - refers cases to ONR (CNS) where the Contracting Authority/Vetting Authority or Security Controller refuses to disclose any caveats to the duty holder.
- 6.24 Developed Vetting (DV) clearances falling under the confirmation process are not subject to the Annual Security Appraisal Form (ASAF) process by the company that is utilising the clearance. This is because the DV process is managed by the vetting authority formally holding the clearance. Anything of a security interest that affects the

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DV holder should be reported to the vetting authority holding the clearance in support of the ASAF process and where appropriate to ONR.

- 6.25 A confirmation of an NSV clearance (other than where issued by ONR (CNS)) should normally only be used on a temporary basis. Where there is an ongoing requirement, the clearance should be transferred across to the appropriate Contracting Authority and Vetting Authority. Where, exceptionally, a clearance is justifiably used on an ongoing confirmation basis, inspectors will be unlikely to approve a security plan that does not contain arrangements for the dutyholder obtaining, on an appropriately regular basis, a 'continuing assurance' of the clearance. This includes cases where the clearance is confirmed through a sponsor organisation which is also subject to regulation by ONR (CNS).

Use of clearances held through overseas organisations

- 6.26 Where an individual holds a clearance issued through an overseas competent security authority, its validity for use in the civil nuclear sector must be validated through ONR (CNS) before the individual is given access to relevant areas or information.

Cross-over between civil nuclear and other sectors work

- 6.27 Where a NSV is required for work in both civil nuclear and, for example, the defence sector, ONR (CNS) will assess a clearance application where at least 50% of the work is to be undertaken in the civil nuclear industry. In the example of the defence sector, the MoD Vetting Authority will form its own opinion as to whether or not to accept the ONR (CNS) clearance. Where the balance of work in the civil nuclear industry is less than 50%, the clearance application is assessed by the Vetting Authority covering the sector where the greatest percentage of work is being performed.

Clearance arrangements for visitors

- 6.28 The presence of visitors has the potential to cause security concerns. Inspectors will be unlikely to approve a security plan that does not include the dutyholder's intent to report visit arrangements in the civil nuclear industry which comply with Annex M of SyAPs.

Inspectors should consider:

- Do arrangements comply with Cabinet Office published guidance on the BPSS and the Personnel Security elements of the SPF?
- Do arrangements comply with any additional ONR requirements?
- Are personnel performing relevant roles SQEP?
- Do arrangements include oversight of the veracity of checks carried out in the supply chain to provide the dutyholder with information to justify the issue of a BPSS?
- Is relevant information of a security interest identified through the BPSS, or from the NSV record check, included when sponsoring clearance applications?
- Is clearance information obtained from other Vetting Authorities or Contracting Authority (within the UK or overseas) from a recognised point of contact?

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- Do the arrangements ensure that clearance information and associated employment controls or caveats is communicated to relevant parties i.e. Human Resources, Occupational Health and Line Manager?
- Are clearance arrangements for visitors complied with?

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1. **Nuclear Industries Security Regulations 2003.** Statutory Instrument 2003 No. 403
2. **Convention on the Physical Protection of Nuclear Material (CPPNM)**
<https://ola.iaea.org/ola/treaties/documents/FullText.pdf>
3. **Nuclear Security Series 20 - IAEA Nuclear Security Fundamentals** http://www-pub.iaea.org/MTCD/Publications/PDF/Pub1590_web.pdf
4. **IAEA Nuclear Security Series No 7 – Nuclear Security Culture** www-pub.iaea.org/MTCD/publications/PDF/Pub1347_web.pdf
5. **IAEA Nuclear Security Series No 8 – Preventative and Protective Measures against Insider Threats** www-pub.iaea.org/MTCD/publications/PDF/pub1359_web.pdf
6. **HMG Security Policy Framework.**
7. **Security Assessment Principles** – Trim Ref. 2017/121036
8. **NISR 2003 Classification Policy** – Trim Ref. 2012/243357.
9. **HMG Baseline Personnel Security Standard – Guidance on the pre-employment screening of civil servants, members of the armed forces, temporary staff and government contractors**
www.gov.uk/government/uploads/system/uploads/attachment_data/file/365602/HMG_Baseline_Personnel_Security_Standard.pdf
10. **HMG Personnel Security Controls -**
www.gov.uk/government/uploads/system/uploads/attachment_data/file/299547/HMG_Personnel_Security_Controls.pdf
11. **Centre for the Protection of National Infrastructure - Personnel Security references** www.cpmi.gov.uk/advice/Personnel-security1/
12. **INFCIRC/225 IAEA – The Physical Protection of Nuclear Material**
<https://www.iaea.org/publications/documents/infcircs/physical-protection-nuclear-material>
13. **Cabinet Office SPF Personnel Security supplement, version 6.4, dated November 2015.** (OFFICIAL – SENSITIVE).
14. **Cabinet Office template letter notification of security clearance**
<https://www.gov.uk/government/publications/national-security-vetting-advice-for-staff>
(see letter maintaining security clearance)

Note: ONR staff should access the above internal ONR references via the How2 Business Management System.

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ASAF	Annual Security Appraisal Form
BPSS	Baseline Personnel Security Standard
BSVR	Baseline Standard Verification Record
CNC	Civil Nuclear Constabulary
CNPA	Civil Nuclear Police Authority
CPNI	Centre for the Protection of National Infrastructure
CPPNM	Convention on the Physical Protection of Nuclear Material
CS&IA	Cyber Security and Information Assurance
CTC	Counter Terrorist Check
DBS	Defence Business Services
DV	Developed Vetting
FSyP	Fundamental Security Principle
GOCO	Government Owned Contractor Operated
GOGO	Government Owned Government Operated
IAEA	International Atomic Energy Agency
NDPB	Non Departmental Public Body
NFA	No Further Action
NISR	Nuclear Industries Security Regulations
NM	Nuclear Material
NSS	Nuclear Security Series
NSV	National Security Vetting
ONR	Office for Nuclear Regulation
ONR (CNS)	Office for Nuclear Regulation (Civil Nuclear Security)
ORM	Other Radioactive Material
PBO	Parent Body Organisation
SC	Security Check
SLC	Site Licensed Company
SNI	Sensitive Nuclear Information
SPF	Security Policy Framework
SQEP	Suitably Qualified and Experienced
SyAPs	Security Assessment Principles
SyDP	Security Delivery Principle
TAG	Technical Assessment Guide

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APPENDIX 1 - EXTRACT OF NISR 2003 CONCERNING WORKFORCE TRUSTWORTHINESS

Regulation 9: “The responsible person in relation to each nuclear premises must ensure that each of his relevant personnel in relation to the premises who -

- a) Is specified in the approval security plan for the premises as requiring investigation and assessment as mentioned in regulation 4(3)a, or
- b) Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of the premises and the material, equipment and information mentioned in regulation 4(2).

Regulation 17(3): “An approved carrier must ensure that each of his relevant personnel who-

- a) Is specified in his approved transport security statement as requiring investigation and assessment as mentioned in regulation 16(3)(a), or
- b) Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of the material, information and premises mentioned in Regulation 16(3)(a).

Regulation 22(7)(d): “A person to whom this regulation applies must – ensure that each of his relevant personnel who -

- (i) Is specified in a direction given under paragraph (7)(b) as a person whose suitability requires investigation and assessment by the Secretary of State; or
- (ii) Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of any sensitive nuclear information, uranium enrichment equipment or software within the possession or control of the person to whom this regulation applies.

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Duty holder reference		ONR CNS reference	
Present Surname	<input type="text"/>	Present Forename(s)	<input type="text"/>
Contractor <input type="checkbox"/>	Staff <input type="checkbox"/>		<i>Cross (X) one box only</i>
Clearance is needed for: <i>(job or work description)</i>			

Part 1 - Applicant's Details - Please print in **CAPITAL** letters in **black** ink

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Ms <input type="checkbox"/>	Miss <input type="checkbox"/>	<i>Cross (X) one box only</i>	Other	<input type="text"/>
Present Surname		<input type="text"/>				
Present Forenames		<input type="text"/>				
Any other names used		<input type="text"/>				
Permanent Address		<input type="text"/>				
Post Town	<input type="text"/>	Post code	<input type="text"/>			
County	<input type="text"/>	Country	<input type="text"/>			
Phone No	<input type="text"/>	Date of Birth	<input type="text"/>			
Nationality	<input type="text"/>					
Place of Birth	<input type="text"/>					
Former Nationality	<input type="text"/>	Dual Nationality	<input type="text"/>			
For non EEA nationals the 'right to work' has been established through: <i>(attach attributable copy or statement)</i>		<input type="text"/>				

Part 2 - Basic Disclosure Consent (copy of Basic Disclosure to be retained for 12 months)

I authorise the Personnel Security and/or Human Resources team to receive and open my Basic Disclosure certificate (and where appropriate overseas police certificate) & to use that information to assess my suitability to hold a Baseline Personnel Security Standard (BPSS) clearance. I allow the Office for Nuclear Regulation (Civil Nuclear Security), as the Security Regulator and Vetting Authority for the UK Civil Nuclear Industry to receive & view the contents of the Basic Disclosure certificate (and where appropriate overseas police certificate). I consent to the Personnel Security Team/Human Resources Team retaining the original or a copy of the certificate(s) for 12 months following the issue or denial of the BPSS clearance to allow ONR (CNS), as the Regulator, to conduct the appropriate Personnel Security Inspections. If I wish the Basic Disclosure certificate to be returned to me once the decision has been taken I will notify the Personnel Security Manager

Signed **Dated**

Part 3 - Identification, documents used to certify identity

	Document	Issued	Reference
1	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>

Part 4 - Certification of employment and education (to include contact details) for the past 3 years

	From date	To date	Employer	Applicant's occupation
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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OFFICIAL**Part 5 – Time spent overseas**

Has the applicant resided or worked outside of the UK for 6 months or more, in the last 3 years?

Yes No Cross (X) one box only

(If 'YES' details of countries and dates must be provided on a separate sheet)

Part 6 - Certification by Employer, Human Resources or Security Department

I certify that I have satisfactorily established the identity, nationality, the right to work in the UK against the job role detailed overleaf of the applicant and the authenticity of their employment history. I confirm that I, or other authorised person, have personally examined the documents supplied by the applicant, which all comply with the guidance notes, and that I am satisfied as to their authenticity, and for audit purposes copies of these will be retained and be accessible through the security department 6 months following the issuing of the clearance with this BSVR being retained for 12 months following cessation of employment for which this or any NSV clearance is required. I confirm that where the applicant is subject to work restrictions on grounds of nationality that robust mechanisms are in place to ensure that there is an ongoing right to work in the UK in relation to both the job role and the sponsoring company, with appropriate records being retained throughout the period of employment.

Signature	<input type="text"/>	Name	<input type="text"/>
Date	<input type="text"/>	Position	<input type="text"/>
Work Phone No	<input type="text"/>	Work E-mail	<input type="text"/>
Company	<input type="text"/>		
Address	<input type="text"/>		

Part 7 - ONR CNS review request (to be completed where duty holders signing authority exceeded)

I certify I am satisfied the identity, nationality, the right to work in the UK against the job role detailed overleaf of the applicant and the authenticity of their documentation and employment history has been established, however it is being forwarded to the Office for Nuclear Regulation (CNS) to be authorised for the following reason(s):

Signature	<input type="text"/>	Name	<input type="text"/>
Date	<input type="text"/>	Position	<input type="text"/>
Work Phone No	<input type="text"/>	Work E-mail	<input type="text"/>
Company	<input type="text"/>		
Address	<input type="text"/>		

Part 8 - Baseline Personnel Security Standard authorisation (only for completion by personnel within the duty-holder organisation with formal authority)

Having reviewed the certification above and the Basic Disclosure certificate (including any overseas police certificates) which fall within my authority, the individual identified at Part 1 is considered suitable to hold a BPSS to work in the Civil Nuclear Industry & where appropriate with the following recommended condition of employment or caveats:

The following must be considered as a pre-employment condition –

The following restriction is to be applied (ONR use only) -

WHERE THERE IS NO CURRENT BRITISH CITIZENSHIP THE CAVEAT OF “NO ACCESS TO ‘UK EYES ONLY’” MUST BE APPLIED

Disclosure Certificate No	<input type="text"/>	Dated	<input type="text"/>
Signature	<input type="text"/>	Name	<input type="text"/>
Position	<input type="text"/>	Company	<input type="text"/>
Address	<input type="text"/>		
Telephone No	<input type="text"/>	E-mail address	<input type="text"/>
Date Clearance Approved	<input type="text"/>		

Data Protection Act (1998) – This form contains “personal” data as defined by the Data Protection Act 1998. It has been supplied to the appropriate HR or Security Authority exclusively for the purpose of the Baseline Personnel Security Standard. The HR or Security Authority must protect the information provided and ensure it is not passed to anyone who is not authorised to see it.

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APPENDIX 3: COMPANIES SUBJECT TO ONR CNS PERSONNEL SECURITY REGULATION AS AT TIME OF PUBLICATION

Company	Company
Canberra UK	Springfields Fuels Limited
Cavendish Nuclear	Synergyhealth
Centronic	URENCO Capenhurst
Civil Nuclear Constabulary	URENCO Stoke Poges
Cyclife UK Ltd	W H Bowker
Direct Rail Services Limited	
Dounreay Site Restoration Limited	
EDF Energy EN – Nuclear Security	
EDF Energy EN – Dungeness	
EDF Energy EN – Hartlepool	
EDF Energy EN – Heysham	
EDF Energy EN – Hinkley Point	
EDF Energy EN – Hunterston	
EDF Energy EN – Sizewell	
EDF Energy EN – Torness	
EDF Energy NNB – Corporate	
EDF Energy NNB – Hinkley Point C	
EDF Energy NNB – Sizewell C	
Enrichment Technology Company (Beaconsfield)	
Enrichment Technology Company (Capenhurst)	
GE Healthcare (Grove Centre)	
GE Healthcare (Maynard Centre)	
Geodis	
Horizon Nuclear Power Limited	
Imperial College Reactor Centre	
International Nuclear Services Limited	
Inutec	
Low Level Waste Repository	
Magnox Limited – Corporate	
Magnox Limited Berkeley	
Magnox Limited Bradwell	
Magnox Limited Chapelcross	
Magnox Limited Dungeness	
Magnox Limited Harwell	
Magnox Limited Hinkley Point	
Magnox Limited Hunterston	
Magnox Limited Oldbury	
Magnox Limited Sizewell	
Magnox Limited Trawsfynydd	
Magnox Limited Winfrith	
Magnox Limited Wylfa	
National Nuclear Laboratory	
Nuclear Decommissioning Authority	
NuGen	
Nuvia	
Sellafield Limited (Sellafield)	

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APPENDIX 4 - ONR (CNS) BASELINE PERSONNEL SECURITY STANDARD (BPSS) AND NATIONAL SECURITY VETTING (NSV) APPEALS PROCESS

The BPSS

Denials

This procedure applies both to staff and to contractors, whether they have been appointed or not. When a BPSS is denied, the individual will be informed in writing. The letter will state the reasons why the BPSS has been denied and describe the avenue of appeal. Concurrently, the Personnel Security Manager will be informed that the BPSS has been denied but will not usually be told the reason(s) why.

The individual will be given 28 calendar days from the date of the letter in which to appeal against the decision. Any appeal is to be sent to the Deputy Chief Inspector (Civil Nuclear Security) who will take the final decision.

A BPSS, once issued, cannot be withdrawn, though it does lapse immediately on cessation of employment.

National Security Vetting Clearances

Denials

This procedure applies both to staff and to contractors whether or not they have been appointed. Where an NSV level clearance is to be denied, the individual will be given notice in writing that ONR (CNS) intends to deny an NSV level clearance. The Personnel Security Manager of the site sponsoring the NSV application will also be advised that the individual has been issued with an intention to deny letter, but not usually the reason behind it. Unless there are national security constraints on the information, the letter to the individual will state why the clearance is to be denied and give the individual 28 calendar days (from the date of the letter) to make representations before the decision is finalised.

If the decision to deny the clearance is confirmed, the individual will receive a further letter restating the reasons for the denial and offering the opportunity to make an appeal against the decision to the DCI (CNS). The individual will be given the opportunity to have a face to face discussion with the DCI (CNS). Again, 28 calendar days from the date of the letter will be allowed for the individual to appeal against the denial of the clearance. The Personnel Security Manager of the site sponsoring the clearance will also receive notification that the NSV application has been denied; but they will not usually be told the reason for the denial.

For those individuals already appointed to the civil nuclear industry, a further avenue of appeal exists if the DCI (CNS) confirms the decision to deny the clearance. This further appeals procedure lies through the Security Vetting Appeals Panel (SVAP), which is part of the Cabinet Office which oversees the National Security Vetting system. The individual will be granted 28 calendar days from the date of receiving notification from the DCI (CNS) confirming the decision to deny the clearance to appeal to SVAP.

There is no right of appeal to the Security Vetting Appeals Panel for candidates who are being recruited where no job offer has been made.

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Withdrawals

The process for withdrawing an NSV clearance is to be the same as that followed for denials except that, due to the fact that the individual is already working in the UK Civil Nuclear Industry, there will always be a right of appeal to SVAP.

Suspensions

The letter notifying the individual of the suspension shall give the grounds for the decision with the opportunity within 28 calendar days for the individual to appeal the decision. If the suspension decision is confirmed, the individual has a further 28 calendar days within which to appeal to the Deputy Chief Inspector, Civil Nuclear Security. The Personnel Security Manager will be notified of the suspension so that the clearance in the interim is not transferred elsewhere until ONR has finalised its decision.

Appeals Procedures Travel and Subsistence Costs

Where an NSV clearance is denied or withdrawn, the individual will be given the right to appeal to the DCI (CNS). The individual making the appeal will be given the option of having a face-to-face interview with the DCI (CNS). The sponsor currently maintaining the clearance should have in place a policy for meeting the associated reasonable travel and subsistence costs incurred by the individual to attend this face-to-face discussion.

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OFFICIAL**APPENDIX 5 - Template to Obtain Clearance Confirmation**

To: Sponsoring Company/Vetting Authority/List X Security Controller
 From: Personnel Security Team (To include full contact details on Company headed paper)

Civil Nuclear Industry Clearance Confirmation Request

Definition - An individual already holds a clearance and wishes to use it for work in the Civil Nuclear Industry.

Authorisation for obtaining Clearance Confirmation

The Office for Nuclear Regulation regulates under the Nuclear Industries Security Regulations 2003, on behalf of the Secretary of State for the Department of Business, Energy, and Industrial Strategy. ONR is a Public Corporation under the Energy Act 2013.

The Regulations require us to ensure personnel (and those of its contractors) with access to nuclear material, sensitive nuclear information and/or equipment/software use or stored on premises in connection with activities involving nuclear or other radioactive material are in possession of a valid Baseline Personnel Security Standard (BPSS) or National Security Vetting (NSV) clearance.

The individual named below has informed our Security Department that they hold a current BPSS/NSV security clearance with your Company.

If a valid clearance is held for the below individual, please email/fax or post a clearance certificate to our Security Office. Upon confirmation, this clearance will be utilised for work they are carrying out for our site(s). If the individual remains on our site(s) for twelve months we shall require a further reassurance that the clearance remains valid and that no caveats have been applied. **The responsibility for maintaining this clearance will remain with you, the holding organisation.**

Details where known to be completed by the Personnel Security Team:

Full name:			
Other names used:			
Date of birth:		Place & country of birth:	
Nationality:		Dual / Former nationality:	
National Insurance Number:		Current Employer:	
Line Manager:		Date of leaving organisation:	
Reason for leaving organisation:		Issuing Company/Authority:	
Clearance level and Reference/Number: (if known)		Caveats placed on this clearance:	
Issue date of clearance:		Expiry date of clearance:	
Signature:		Position:	
Name of Signatory in BLOCK CAPITALS :		Date:	
Organisation of signatory		E-mail address of signatory	

Once in receipt of a clearance confirmation, the requesting site must always verify the following and retain and retain assurances for audit purposes:

- Identification, Nationality (including dual or former) and Right to Work in the UK.

Ensure any caveats are applied and appropriately managed.

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OFFICIAL**APPENDIX 6 - NATIONAL SECURITY VETTING RECORD CHECK**

Section A.	Details of person being put forward for CTC, SC or DV clearance (initial or renewal)		
Full Name		Date of Birth	
Site		Vet Number (where known)	
How long has the post holder been employed by the company?		Years	Months
If you as the employer feel there may be a conflict of interest in completing this Record Check (e.g. a family firm where the subject is a family member) then please tick this box <input type="checkbox"/> and go straight to Section B.			
Please answer the following question by indicating either Yes or No			
		YES	NO
Is any information held by way of departmental or company records which indicates that the above-named is –			
<ul style="list-style-type: none"> • Likely to be of a security concern; • Through their personal circumstances, current or past conduct indicate they may be susceptible to pressure or improper influence; • Dishonest or shown a lack of integrity casting doubt on their reliability; • Unreliable through demonstrating other behaviours or because of their circumstances. 			
<i>Records that can reasonably be expected to be checked include personal files, staff reports, sick leave returns and security records.</i>			
If the answer to any of the above is Yes, please give details overleaf			
Section B	Details of the person verifying		
I certify that I have accurately conducted the above checks. I am not related to the subject* or I have not completed the Record Check because*			
*Delete as appropriate			
Signed		Date	
Name in block letters		Telephone No	
Position within company		Name of Employing /contractors Company	
e-mail address			

This form must be forwarded in a sealed envelope to the Security Team for the relevant information to be included on the subjects Security Questionnaire. This Record Check is a mandatory requirement.

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